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FEB 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 09/954,509

Applicant: Omshehe et al.

Filed: September 14, 2001

TC/AU: 2141

Examiner: Kristie D. Shingles

Docket No.: 213306

Customer No.: 23460

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE
EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed August 11, 2005, rejecting the following claims: 1-20.

The items checked below are appropriate:

1. Status of Applicants

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

2. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☒ other than a small entity or ☐ a small entity.

Notice of Appeal Fee due \$500.00

3. Extension of Time

☒ Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$1,020.00.

☐ An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.

02/10/2006 TL0111 00000031 121216 09954509
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Application No. 09/954,509

Notice of Appeal

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$1,020.00

4. Total Fee Due

The total fee due is:

Notice of Appeal Fee	\$500.00
Extension Fee (if any)	\$1,020.00

Total Fee Due: \$1,520.00


5. Fee Payment

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 12-1216 the sum of \$1,520.00. A duplicate of this transmittal is attached.

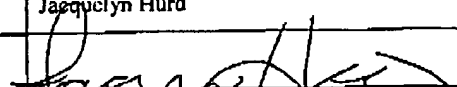
6. Fee Deficiency

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,


Mark Joy, Reg. No. 35362
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Date: February 9, 2005

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Jacquelyn Hurd		
Signature		Date	February 9, 2005